

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRYAN EVANS,

Plaintiff

vs.

CO JOE KAYES, *et al.*,

Defendants

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CIVIL NO. 1:CV-16-1098

(Judge Caldwell)

O R D E R

And now, this 3rd day of April, 2017, in accordance with the accompanying memorandum, it is ordered that:

1. Warden Berdanier's unopposed Motion to Dismiss (ECF No. 11) is granted.
2. Evans' claims against Warden Berdanier are dismissed.
3. Within twenty-one (21) days from the date of this order, Plaintiff may file an amended complaint setting forth his claims against Warden Berdanier.
4. The Clerk of Court shall forward to Plaintiff two (2) copies of this court's prisoner civil-rights complaint form which Plaintiff shall use in preparing any amended complaint he may file.
5. Failure to file an amended complaint as directed within the required time will result in this action moving forward strictly based on the Eighth Amendment claims against the sole remaining defendant, CO Kayes.

6. The Clerk of Court is to note Evans' present place of confinement as SCI-Waymart.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge